

Claim Analysis

Claim 16 corresponds to Amended Claim 1 presented in the last Amendment but contains the additional features:

- (a) the alkaline aqueous solution contains an alkaline buffering agent : and,
- (b) the divalent metal is limited to iron.

Claims 17, 18 and 19 depend on claim 16 with :

- (a) claim 17 showing the buffering agent to be a phosphate or a urea phosphate;
- (b) claim 18 limits the pH of the alkaline aqueous solution to between 7.0 and 9.5;
- (c) claim 19 shows the chelating agent to be an alkylenepolyamine polycarboxylate

Claim 20 contains all the elements of claim 16-18.

Claim 21 depends on claim 20 and corresponds to claim 19

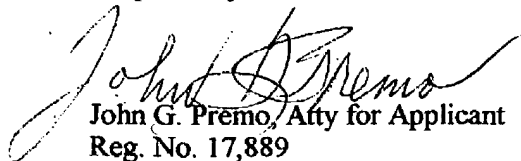
REMARKS

The rejection of claims 1,2,4-8 and 10-15 has been overcome by their cancellation. The objections to claims 11 and 12 are believed to have been corrected by their presentation as set forth above.

The pH of the alkaline solution is critical. Note the outstanding results in the Examples presented in the specification. The pH is adjusted independently of the pH of the soil treated as is the teaching of Pignatello.

The application is believed to be in condition for allowance.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John G. Premo", is written over the typed name.

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Date: January 13, 2004



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EXAMINER KRECK, JOHN J				
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Please find below and/or attached an Office communication concerning this application or proceeding.



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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 12/31/03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

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Rev. 10/03